

**REMARKS**

Claims 1-16 are pending in this application. By this Amendment, the title is amended. No new matter is added.

Applicant appreciates the courtesies shown to Applicant's representative by Examiners Pachol and Poon in the December 18, 2008 personal interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

The Office Action objects to the specification. In particular, the Office Action alleges that the title is not descriptive. As agreed during the personal interview, the amended title is descriptive. Withdrawal of the objection is requested.

The Office Action (A) rejects claims 1-11 under 35 U.S.C. §103(a) over U.S. Patent No. 6,144,777 to Tada et al. (Tada) in view of U.S. Patent No. 5,978,614 to Takeuchi, and further in view of U.S. Patent No. 6,646,768 to Anderson et al. (hereinafter Anderson); and (B) rejects claims 12-16 under 35 U.S.C. §103(a) over Tada in view of Anderson. The rejections are respectfully traversed.

As discussed during the personal interview, Tada, Takeuchi and Anderson, even in combination, fail to disclose or render obvious (1) a detection section that detects which of the first and second original placement sections an original is placed in, and (2) a control section that causes an image formation section to form images of a plurality of originals read by the image read section on one side of a recording medium in a predetermined layout based on a detection result of a detection section and the specification of the image orientation specifying section, as recited in independent claim 1, and as similarly recited in independent claim 12.

With respect to (1), the Office Action acknowledges that Tada fails to disclose the detection section recited in independent claim 1. However, the Office Action, citing col. 4, lines 3-18 of Anderson, alleges that Anderson remedies the above deficiencies of Tada.

During the personal interview, the Examiners asserted that the sensor 53 of Anderson corresponds to the claimed detection section. Applicant respectfully disagrees.

Anderson discloses that a toggle switch 16 detects the presence of a document in the input tray 17 (see Anderson, col. 7, lines 5-10). Further, Anderson discloses that the sensor 53 generates a signal that is used to calculate a precise time to initiate a scanning process (see Anderson, col. 6, lines 36-43 and col. 7, lines 36-39). The signal that is generated from the sensor 53 of Anderson only indicates 1) that a lid 21 has been opened and 2) that a leading/trailing edge of a document, already been fed from the input tray 17 has passed the sensor 53 (see Anderson, col. 7, lines 32-43 and 50-57). The signal output by sensor 53 clearly is not used to detect the original placement section in which the original is placed. Therefore, Anderson fails to disclose a detection section that detects which of a first and second original placement sections an original is placed, as recited in independent claim 1, and as similarly recited in independent claim 12.

With respect to (2), the Office Action, citing col. 5, lines 52-55 of Tada, appears to allege that the CPU 4 of Tada corresponds to the control section that causes an image formation section to form images of a plurality of originals read by an image read section on one side of a recording medium in a predetermined layout based on a detection result of a detection section and the specification of an image orientation specifying section, as recited in independent claim 1, and as similarly recited in independent claim 12. Applicants submit that modifying the system of Tada to include the alleged detection section of Anderson (apparently sensor 53) would not result in the claimed control section because Anderson fails to disclose that the sensor 53 generates any signal (makes any detection) that is utilized for a layout of an image. As discussed above, the sensor 53 of Anderson only generates a signal that is used to calculate a precise time to initiate a scanning process. Anderson, which does not teach the layout feature, does not disclose using its signal to select a predetermined layout.

Tada does not indicate that one should use information relating to the origination of the original (i.e., whether the original was fed from a first placement section or from a second placement section) in order to choose a predetermined layout. Thus, neither Tada nor Anderson bases the layout on the placement section from which the original was fed. In particular, the CPU 4 of Tada (the alleged control section) would not be modified such that images are formed in a predetermined layout based on a detection result of a detection section and the specification of an image orientation specifying section, because the sensor 53 of Anderson only generates a signal that is used to calculate a precise time to initiate a scanning process (see Anderson, col. 6, lines 36-43).

In addition, Takeuchi does not remedy the above deficiencies with respect to Tada and Anderson. Therefore, Tada, Takeuchi and Anderson, even in combination, all fail to disclose or render obvious all of the features of independent claims 1 and 12. In addition, claims 2-11 and 13-16, which respectively depend from independent claims 1 and 12, also are patentable over the applied references, for at least the reasons discussed above as well as for the additional features these claims recite. Accordingly, withdrawal of the rejections is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:LXF/mab

Attachment:  
Petition for Extension of Time

Date: December 22, 2008

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